

Regulatory Language

Section 1.91, Title 14, CCR, is amended to read:

1.91. Federal Groundfish and Rockfish, Cabezon and Greenling (RCG) Complex.

(a) The following fish are included in the list of species managed under the Federal Pacific Coast Groundfish Fishery Management Plan:

(1) "Nearshore Rockfish," which means the following species of rockfish: black rockfish (*Sebastes melanops*), black and yellow rockfish (*S. chrysomelas*), blue rockfish (*S. mystinus*), brown rockfish (*S. auriculatus*), calico rockfish (*S. dalli*), China rockfish (*S. nebulosus*), copper rockfish (*S. caurinus*), gopher rockfish (*S. carnatus*), grass rockfish (*S. rastrelliger*), kelp rockfish (*S. atrovirens*), olive rockfish (*S. serranoides*), quillback rockfish (*S. maliger*), treefish (*S. serriceps*)

(2) California Scorpionfish (*Scorpaena guttata*)

(3) "Shelf Rockfish" which means the following species of rockfish: bocaccio (*Sebastes paucispinis*), bronzespotted rockfish (*S. gilli*), canary rockfish (*S. pinniger*), chilipepper (*S. goodei*), cowcod (*S. levis*), dusky rockfish (*S. ciliatus*), flag rockfish (*S. rubrivinctus*), greenblotched rockfish (*S. rosenblatti*), greenspotted rockfish (*S. chlorostictus*), greenstriped rockfish (*S. elongates*), harlequin rockfish (*S. variegates*), honeycomb rockfish (*S. umbrosus*), Mexican rockfish (*S. macdonaldi*), pink rockfish (*S. eos*), redstripe rockfish (*S. proriger*), rosethorn rockfish (*S. helvomaculatus*), rosy rockfish (*S. rosaceus*), shortbelly rockfish (*S. jordani*), silvergray rockfish (*S. brevispinis*), speckled rockfish (*S. ovalis*), squarespot rockfish (*S. hopkinsi*), starry rockfish (*S. constellatus*), stripetail rockfish (*S. saxicola*), tiger rockfish (*S. nigrocinctus*), vermilion rockfish (*S. miniatus*), widow rockfish (*S. entomelas*), yelloweye rockfish (*S. ruberrimus*), yellowtail rockfish (*S. flavidus*)

(4) "Slope Rockfish" which means the following species of rockfish: aurora rockfish (*Sebastes aurora*), bank rockfish (*S. rufus*), blackgill rockfish (*S. melanostomus*), darkblotched rockfish (*S. crameri*), Pacific ocean perch (*S. alutus*), redbanded rockfish (*S. babcocki*), roughey rockfish (*S. aleutianus*), sharpchin rockfish (*S. zacentrus*), shortraker rockfish (*S. borealis*), splitnose rockfish (*S. diploproa*), yellowmouth rockfish (*S. reedi*)

(5) Sharks, including only leopard shark (*Triakis semifasciata*), soupfin shark (*Galeorhinus zyopterus*), and spiny dogfish (*Squalus acanthias*)

(6) Skates, including only big skate (*Raja binoculata*), California skate (*R. inornata*), and longnose skate (*R. rhina*)

(7) Roundfish, including only cabezon (*Scorpaenichthys marmoratus*), kelp greenling (*Hexagrammos decagrammus*), lingcod (*Ophiodon elongates*), Pacific cod (*Gadus macrocephalus*), Pacific whiting (*Merluccius productus*), and sablefish (*Anoplopoma fimbria*)

(8) Thornyheads, which means longspine thornyhead (*Sebastolobus altivelis*), and shortspine thornyhead (*Sebastolobus alascanus*)

(9) Federally Managed Flatfish, including only arrowtooth flounder (arrowtooth turbot) (Atheresthes stomias), Dover sole (Microstomus pacificus), English sole (Parophrys vetulus), and petrale sole (Eopsetta jordani).

(10) Other Flatfish, including only butter sole (Isopsetta isolepis), curlfin sole (Pleuronichthys decurrens), flathead sole (Hippoglossoides elassodon), Pacific sanddab (Citharichthys sordidus), rex sole (Glyptocephalus zachirus), rock sole (Lepidopsetta bilineata), sand sole (Psettichthys melanostictus) and starry flounder (Platichthys stellatus).

(11) Other fish, including only ratfish (Hydrolagus colliei), finescale codling (Antimora microlepis), and Pacific rattail (Coryphaenoides acrolepis)

(12) All genera and species of the family Scorpaenidae that occur off California and not specifically listed in (a)(1) through (a)(4) or (a)(8) above are included in the list of species.

(b) "RCG Complex" means all species of rockfish (Sebastes), cabezon (Scorpaenichthys marmoratus), and kelp and rock greenlings (genus Hexagrammos).

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 7071~~8585.5~~ and 8586, Fish and Game Code.

Section 27.60, Title 14, CCR, is amended to read:

27.60. Limit.

(a) General. No more than 20 finfish in combination of all species with not more than 10 of any one species, may be taken or possessed by any one person except as otherwise provided or as defined in subsection (e) below or in Section 195. (See Sections 27.70 through 28.62 for minimum size limits and poundage restrictions for certain species.)

(b) Within the overall bag limit of 20 fish with not more than 10 of any one species, the following special limits apply:

(1) Federal groundfish (as defined in Section 1.91) and species associated with federal groundfish (limited to greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish).

(A) Rockfish, Cabezon, and Greenling complex (RCG complex), as defined in Section~~subsection~~ 1.91(b) -- 10 fish in total (also see Sections 27.82, 28.28, 28.29 and 28.55). Within the 10-fish RCG complex limit, the following sub-limits also apply: cabezon -- ~~three fish~~[one – three fish] OR [one – three fish except for divers and shore-based anglers the sub-limit is one – three fish], greenlings of the genus Hexagrammos -- ~~two fish~~[one – two fish] OR [one – two fish except for divers and shore-based anglers the sub-limit is one – two fish], bocaccio -- one fish, except in the Northern Rockfish and Lingcod Management Area (as defined in ~~Section~~subsection 27.82(a)) where the sub-limit is two fish, canary rockfish -- zero fish, cowcod -- zero fish, and yelloweye rockfish - zero fish.

(B) For species of federal groundfish that are not part of the Rockfish, Cabezon, and Greenling complex (RCG complex, see subsection (a)(1)(A) above), the following

special limits apply: California scorpionfish – five fish (see Sections 27.82 and 28.54), leopard shark – three fish (see Section 28.56), lingcod – two fish (see Sections 27.82 and 28.27), and soupfin shark – one fish. See subsection (d) below for federal groundfish species with no limits.

(C) For species associated with federal groundfish that are not part of the Rockfish, Cabezon, and Greenling complex (RCG complex, see subsection (a)(1)(A) above), the following special limits apply: California sheephead – five fish (see Section 28.26).

(D) Bag and possession limits for all species of federal groundfish (as defined in Section 1.91, including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change to daily bag limits for these species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(2) For species other than federal groundfish (as defined in Section 1.91) and species associated with federal groundfish (limited to greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish), those in the RCG complex, within the overall bag limit of 20 fish, the following special limits apply:

<i>Zero fish (Prohibited)</i>	<i>One fish</i>	<i>Two fish</i>	<i>Three Fish</i>	<i>Five Fish</i>
giant (black) sea bass (except as provided in Section 28.10)	sturgeon (see Section 27.90)	salmon (except as provided in Section 27.80)	trout taken from ocean and bays (see Section 27.70)	California sheephead (see Section 28.26) <u>surfperch--five fish in the aggregate of all species, except for shiner surfperch under 27.60(c) below</u>
Garibaldi (see Section 28.05)	Pacific halibut (see Section 28.20)	striped bass (see Section 27.85)	white seabass (except as provided in Section 28.35)	California halibut (except as provided in Section 28.15)
gulf grouper	marlin (see	broadbill	leopard shark	surfperch--five

(see Section 28.12)	Section 28.50)	swordfish (see Section 28.40)	(see Section 28.56)	fish in the aggregate of all species, except for shiner surfperch under 27.60(c) below
broomtail grouper (see Section 28.12)	southern shark <u>sevendill shark</u>	blue shark		California scorpionfish (see Sections 27.82 and 28.54)
white shark (see Section 28.06)	sixgill shark	thresher shark		
	sevendill shark	shortfin mako shark		
	lingcod (see Sections 27.82 and 28.27)			

(c) In addition to the overall bag limit of 20 fish, and special limits in subsection (b), the following special limits apply: Shiner surfperch-20.

(d) There is no limit on the following species: Albacore, anchovy, bluefin tuna, grunion, jacksmelt, topsmelt, ~~petrale sole~~, Pacific butterfish (pompano), queenfish, sanddabs, skipjack, jack mackerel, Pacific mackerel, Pacific staghorn sculpin, ~~starry flounder~~, round herring, Pacific herring and Pacific sardine. There is no limit on the following species of federal groundfish: petrale sole, Pacific sanddab, and starry flounder.

(e) Boat limit. When two or more persons that are licensed or otherwise authorized to sport fish in ocean waters off California or in the San Francisco Bay District, defined in Section 27.00, are angling for finfish aboard a vessel in these waters, fishing by all authorized persons aboard may continue until boat limits of those finfish identified under subsections (a) through (c) above are taken and possessed aboard the vessel as authorized under this section or Section 195, Title 14, CCR.

(1) The authorization for boat limits aboard a vessel does not apply to fishing trips originating in California where fish are taken in other jurisdictions.

(2) A boat limit for a species or species group identified in subsections (a) through (c) above is the number of persons aboard a vessel that are licensed or otherwise authorized to sport fish in ocean waters off California, or in waters of the San Francisco Bay District, (see special conditions of Section 195, Title 14, CCR, applicable to operator and crew members of vessels licensed pursuant to Fish and Game Code

7920.) multiplied by the individual daily bag limit authorized for a species or species group in those waters. With the exception of species listed in subsection (d) above, the total fish aboard a boat may not exceed the aggregate per-person daily bag limit of 20-finish in combination of all species times the number of anglers licensed or otherwise authorized to sport fish aboard the vessel. It is unlawful to exceed the boat limit at any time.

(3) All persons aboard a vessel may be cited where violations involving boat limits are found, including, but not limited to the following violations:

(A) Over limits

(B) Possession of prohibited species

(C) Violation of size limits

(D) Fish taken out of season or in closed areas.

(4) Upon completion of a fishing trip aboard a vessel, each licensed angler or person otherwise authorized to sport fish may not possess more than the individual daily bag and possession limits defined in Section 1.17, Title 14, CCR and in subsections (a) through (c) above. For purposes of this section, a trip is completed at the time a person disembarks from a vessel and individual possession limits apply. Special boat limit provisions apply to persons fishing aboard commercial passenger fishing vessels reporting pursuant to Section 195, Title 14, CCR.

(5) Species or species groups for which no daily bag limit exists under subsection (d) above are not counted as part of a boat limit.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1 ~~205, 215, 240 and 8587.1~~, Fish and Game Code. Reference: Sections ~~200, 202, 205, 210, 7071 and 206, 215, 220, 240, 5517, 7120 and 8585.5~~, Fish and Game Code.

Section 27.65, Title 14, CCR, is amended to read:

27.65. Filleting of Fish on Vessels.

(a) Definition of Fillet: For the purpose of this section a fillet is the flesh from one side of a fish extending from the head to the tail which has been removed from the body (head, tail and backbone) in a single continuous piece.

(b) Fish That May be Filleted: No person shall fillet on any boat or bring ashore as fillets any fish, except in accordance with the following requirements:

(1) Kelp bass, sand bass, spotted bass, and ocean whitefish: All fillets shall be a minimum of six and one-half inches in length. Each fillet shall bear intact a one-inch square patch of skin.

(2) Barracuda: Fillets must be a minimum of 17 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.

(3) Lingcod. Lingcod fillets must be a minimum of 24~~16~~ inches in length. Each fillet shall bear intact a one-inch square patch of skin. The minimum size and minimum fillet size for lingcod may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying

the public 10 days in advance of a change to the minimum size and minimum fillet size for lingcod made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(4) White sea bass: Fillets must be a minimum of 19 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.

(5) Pacific bonito: No more than 10 fillets of any length may be possessed. All bonito fillets possessed shall be considered a part of the allowable undersized tolerance of five bonito per day less than 24 inches fork length or weighing less than five pounds as provided in Section 28.32 of these regulations. All fillets shall bear intact a one-inch square patch of skin.

(6) California halibut taken from or possessed aboard a vessel south of Point Arena (Mendocino County): Fillets must be a minimum of 16 and three-quarter inches in length and shall bear the entire skin intact. A fillet from a California halibut (flesh from one entire side of the fish with the entire skin intact) may not be cut in half fillets. However, a fillet may be cut lengthwise in a straight line along the midline of the fillet where the fillet was attached to the vertebra (backbone) of the fish only if the two pieces of a fillet remain joined along their midline for a length of at least two inches at one end of the fillet.

(7) Yellowtail: Fillets must be a minimum of 17 inches in length, except not more than 10 fillets may be less than 17 inches. Each fillet shall bear intact a one-inch square patch of skin.

(8) Rockfish: Fillets must have the entire skin attached. Brown-skinned rockfish: Fillets shall be a minimum of six and one-half inches in length. Bocaccio fillets must be a minimum of five inches in length. The minimum size and minimum fillet size for rockfish may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change to the minimum size and minimum fillet size for rockfish made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(9) California scorpionfish (commonly termed "sculpin"): Fillets must be a minimum of ~~five~~ 5 inches. Each fillet shall bear intact a one-inch square patch of skin. The minimum size and minimum fillet size for California scorpionfish may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change to the minimum size and minimum fillet size for California scorpionfish made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(10) All other species except those listed in subsection (c) of this section: Each fillet shall bear intact a one-inch square patch of skin. The fillets may be of any size.

(c) Fish That May Not be Filleted: No person shall fillet on any boat or bring ashore as fillets the following fish: cabezon, kelp and rock greenlings, California halibut north of Point Arena (Mendocino County), and any species of flatfish, other than California halibut, including Pacific and Greenland halibut, tonguefish, sole, turbot, flounder, and sanddab, and salmon, striped bass and sturgeon.

NOTE:

Authority cited: Sections 200, ~~and 202, 205, 215, 220, 240, 5508 and 5509~~, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 220, 240, 5508 and 5509, Fish and Game Code.

Section 27.82, Title 14, CCR, is amended to read:

27.82. Groundfish Management Areas, Seasons, Depths, Exceptions, and Fishery Closure/Rule Change Process Described.

(a) Management areas and boundaries: Management areas and boundaries for all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish ~~rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish)~~ are defined as follows:

(1) The Northern Rockfish and Lingcod Management Area means ocean waters between 42°00' N. lat. (the Oregon/California border) and 40°10' N. lat. (near Cape Mendocino, Humboldt County).

(2) The North-Central Rockfish and Lingcod Management Area means ocean waters between 40°10' N. lat. (near Cape Mendocino, Humboldt County) and 37°11' N. lat. (at Pigeon Point, San Mateo County).

(3) The Monterey South-Central Rockfish and Lingcod Management Area means ocean waters between 37°11' N. lat. (at Pigeon Point, San Mateo County) and 36°00' N. lat. (near Lopez Point, Monterey County).

(4) The Morro Bay South-Central Rockfish and Lingcod Management Area means ocean waters between 36°00' N. lat. (near Lopez Point, Monterey County) and 34°27' N. lat. (at Point Conception, Santa Barbara County).

~~(2) The Central Rockfish and Lingcod Management Area means ocean waters between 40°10' N. lat. (near Cape Mendocino) and 34°27' N. lat. (at Point Conception, Santa Barbara County).~~—

~~(3)~~(5) The Southern Rockfish and Lingcod Management Area means ocean waters between 34°27' N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border including the Cowcod Conservation Areas defined in subsection (d) of this Section.

(b) Seasons and depth constraints: ~~(also see Section 27.83 for restrictions on fishing gear within Rockfish and Lingcod Management Areas):~~ Fishing for rockfish, lingcod, and

~~associated species limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish is authorized in management areas during the following months and in the following water depths as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660), or by general depth contour lines. The seasons and water depths (as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660), or by general depth contour lines) where fishing is authorized for all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish are listed below for each Rockfish and Lingcod Management Area. Seasons and depth constraints may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change to seasons and/or depth constraints for these species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office. See subsection (c) for exceptions to these season and depth constraints. See also Section 27.83 for restrictions on fishing gear that apply when seasons or areas are closed to groundfish fishing.~~

~~(1) Northern Rockfish and Lingcod Management Area:~~

~~(A) January-December: open in all water depths.——~~

~~(B) November-December: lingcod may not be taken.~~

~~(A) January-June and November-December: closed in all water depths.~~

~~(B) July-October: open only in waters less than 40 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660).~~

~~(2) Central Rockfish and Lingcod Management Area:—~~

~~(A) January-February: open only in waters less than 30 fathoms in depth as described by general depth contour lines.——~~

~~(B) March-April: closed in all water depths.——~~

~~(C) May-August: open only in waters less than 20 fathoms in depth as described by general depth contour lines.——~~

~~(D) September-December: open only in waters less than 30 fathoms in depth as described by general depth contour lines.——~~

~~(E) November-December: lingcod may not be taken.~~

~~(2) The North-Central Rockfish and Lingcod Management Area:~~

~~(A) January-June, and December: closed in all water depths.~~

~~(B) July-November: open only in waters less than 20 fathoms in depth as described by general depth contour lines.~~

~~(F)(C) Waters less than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing at all times for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish,~~

California sheephead, and ocean whitefish all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish.

~~(G)(D)~~ Waters of the Cordell Bank (off Marin County) less than 100 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660), located at 38°02' N. lat., 123°25' W. long., and within a 5 nautical mile radius around this point, are closed to fishing at all times for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish.

(3) The Monterey South-Central Rockfish and Lingcod Management Area:

(A) January-June, and December: closed in all water depths.

(B) July-November: open only in waters less than 20 fathoms in depth as described by general depth contour lines.

(4) The Morro Bay South-Central Rockfish and Lingcod Management Area:

(A) January-April, and October-December: closed in all water depths.

(B) May-September: open only in waters between 20 fathoms in depth as described by general depth contour lines and 40 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660).

~~(3)(5)~~ Southern Rockfish and Lingcod Management Area:

(A) January-February: closed in all water depths.

~~(B) March-December: open only in waters less than 60 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660). Also see subsection (d) for special depth regulations in Cowcod Conservation Areas.~~

(B) March-June: open only in waters between 30 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660) and 60 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660) except that California scorpionfish may not be taken or possessed in these months at these depths and lingcod may not be taken or possessed in March at these depths.

(C) July-September: open only in waters less than 40 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660) except California scorpionfish may not be taken or possessed in these months at these depths.

(D) October-November: closed in all water depths except that California scorpionfish may be taken in waters less than 40 fathoms in depth in as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660).

(E) December: closed in all water depths except that California scorpionfish may be taken in waters less than 20 fathoms in depth as described by general depth contour lines.

(F) See subsection (d) for special depth regulations in Cowcod Conservation Areas.

~~(C) May-October: California scorpionfish may not be taken.~~

(c) Exceptions: The following are exceptions to the season and depth closures described in subsection (b) above: During seasonal area closures and in waters deeper than authorized in subsection (b), fishing for and possession of rockfish, lingcod, and

~~associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) is prohibited, except as follows:~~

(1) In waters where fishing in specified depths is prohibited during an open season within the management area, all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish may be possessed aboard vessels in transit with no fishing gear in the water.~~In waters that exceed depths authorized in subsection (b), during open seasons within a management area specified in subsection (a), all species of rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) may be possessed aboard vessels in transit with no fishing gear in the water.~~

(2) Other Flatfish managed under the Federal Pacific Coast Groundfish Fishery Management Plan (as defined in subsection 1.91(a)(10) may be taken with the gear authorized under subsection 27.83(b)(4), and retained in accordance with authorized daily bag and possession limits defined in Section 27.60.

(3) During seasonal closures in management areas and in waters where fishing in specified depths is prohibited as described in subsection (b), when angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish may be taken and retained, except lingcod may not be taken under this provision in any area during the months of January, February, March and December. All fish must be taken in accordance with authorized daily bag and possession limits defined in Section 27.60, and in accordance with established size limits. No motorized or non-motorized watercraft may be used to assist in taking or retaining fish while operating under this provision.

(4) During seasonal closures in management areas and in waters where fishing in specified depths is prohibited pursuant to subsection (b), when diving and spearfishing (as authorized in Section 28.90), all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish may be taken and retained, except lingcod may not be taken under this provision in any area during the months of January, February, March and December. All fish must be taken in accordance with authorized daily bag and possession limits defined in Section 27.60, and in accordance with established size limits. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or non-motorized watercraft while spearfishing for the purpose of retaining groundfish and associated species as authorized by this subsection.

(5) Leopard shark may be taken and retained in the following bays: Humboldt Bay, Drakes Estero, San Diego Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, San Francisco Bay, Elkhorn Slough, Newport Bay, Alamitos Bay, and Mission Bay. All

leopard shark must be taken in accordance with authorized daily bag and possession limits defined in Section 27.60.

(d) Cowcod Conservation Areas (CCAs).

(1) Boundaries. Cowcod Conservation Areas (CCAs) for recreational fisheries means waters which are 20 fathoms in depth and deeper within each of the following two areas. Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:

33°50' N. lat., 119°30' W. long.;
33°50' N. lat., 118°50' W. long.;
32°20' N. lat., 118°50' W. long.;
32°20' N. lat., 119°37' W. long.;
33°00' N. lat., 119°37' W. long.;
33°00' N. lat., 119°53' W. long.;
33°33' N. lat., 119°53' W. long.;
33°33' N. lat., 119°30' W. long.;
33°50' N. lat., 119°30' W. long.;

and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32°42' N. lat., 118°02' W. long.;
32°42' N. lat., 117°50' W. long.;
32°36' 42" N. lat., 117°50' W. long.;
32°30' N. lat., 117°53'30" W. long.;
32°30' N. lat., 118°02' W. long.;
32°42' N. lat., 118°02' W. long.;

(2) At no time may a species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), or greenlings of the genus Hexagrammos, California sheephead, or ocean whitefish be taken or possessed while fishing in the Cowcod Conservation Areas, except as follows:

(A) Federal groundfish that are other flatfish (as defined in subsection 1.91(a)(10)) and caught with the fishing gear authorized in subsection 27.83(b)(4) may be taken.

(B) Fishing for the following species is permitted in waters less than 20 fathoms during the open periods described in subsection (b)(5) above: nearshore rockfish (as defined in subsection 1.91(a)(1)), lingcod, cabezon, California scorpionfish, greenlings of the genus Hexagrammos, California sheephead, ocean whitefish, and sanddabs and federal groundfish that are other flatfish (as defined in subsection 1.91(a)(10)), and caught with the fishing gear authorized in subsection 27.83(b)(4).

(3) See Section 27.83 for restrictions on fishing gear within the Cowcod Conservation Areas.

~~At no time may rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean~~

~~whitefish) be taken or possessed while fishing in waters 20 fathoms or greater in depth as described by general depth contour lines in the Cowcod Conservation Areas (see Section 27.83 for restrictions on fishing gear within the Cowcod Conservation Areas).~~

(e) Fishery closure and/or rule change: When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY) or recreational harvest guideline, or recreational harvest target] established in regulation by the NOAA Fisheries (National Marine Fisheries Service) for lingcod, rockfish, ~~cabezon~~, or a subgroup of rockfish, cabezon, and/or California scorpionfish, ~~in the California recreational fishery~~ has been exceeded or is projected to be exceeded prior to the end of the year or that catches are less than predicted, the following rule changes may occur, ~~the department may~~

~~(1) close~~ The department may modify the seasons for all or part of the recreational fishery for lingcod, rockfish, a subgroup of rockfish, California scorpionfish, cabezon, greenlings of the genus Hexagrammos, California sheephead, ocean whitefish, and/or any federal groundfish (as defined in Section 1.91) Title 50, Code of Federal Regulations (CFR) Part 660.302 in all or part of the Northern, Central, or Southern a Rockfish and Lingcod Management Areaareas [see Section 27.82(a)], depending on the level of lingcod, rockfish, ~~cabezon~~, a subgroup of rockfish, cabezon, and/or California scorpionfish catch in each area, for part or all of the balance of the calendar year.

Season modifications may differ by geographic location, mode of fishing or gear utilized.

(2) The department may adjust existing bag or sub-bag limits or establish additional bag or sub-limits as needed for any species of federal groundfish (as defined in Section 1.91), for groups of rockfish, or for any combination of rockfish, lingcod, cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish. Bag limits may differ by geographic location, time of year, mode of fishing, or gear utilized.

(3) The department may adjust existing size limits or establish additional size limits as needed for any species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), and greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish. Size limits may differ by geographic location, time of year, mode of fishing, or gear utilized.

(f) Notice of closure and/or rule change: The department shall give the public and the National Marine Fisheries no less than 10 days notice of any fishery closure or rule change implemented pursuant to this Section via a department news release. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205, 215, 240~~, 7071 and 8587.1, Fish and Game Code. Reference: Sections ~~205, 7071 and 8586~~ 200, 202, 206, 215, 240 and 8585.5, Fish and Game Code. Code and 50 C.F.R. 660.

Section 27.83, Title 14, CCR, is amended to read:

27.83. California Rockfish Conservation Area.

~~California Rockfish Conservation Area (CRCA) means all ocean waters which are closed at specified times, or closed in specified depths and areas to recreational fishing for rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) pursuant to Section 27.82, including waters of the Cowcod Conservation Areas (CCAs) defined in Section 27.82(d). Restrictions on the use of fishing gear in the CRCA and CCAs as specified in this regulation serve to minimize interaction with these species.~~

~~(a) Species Restrictions. All species of rockfish (Sebastes spp.), lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) may not be taken or possessed in the CRCA or CCAs, except that these species may be possessed aboard vessels transiting the CRCA or CCAs with no fishing gear in the water.~~

~~(b) Definitions.~~

~~(1) Highly migratory species are defined pursuant to Section 1.49, Title 14, CCR.~~

~~(2) Coastal pelagic species are defined pursuant to Section 1.39, Title 14, CCR.~~

~~(3) Salmon are defined pursuant to Section 1.73, Title 14, CCR.~~

~~(4) Squid jig means: a multi-pronged barbless hook with a 2-3 inch long, 1/4 to 3/4 inch thick, sometimes brightly-colored shank commonly used to catch coastal pelagic species.~~

~~(5) Downrigger means: a device used to deploy one or more fishing lines (via a spool, davit, main line, and terminal weight) each with a terminal hook or lure to a desired depth in the water column and that uses a clip to hold each fishing line in place until a fish takes the terminal hook or lure at which time the fishing line pulls free of the clip.~~

~~(6) No. 2 hook means: a fishing hook with a gap between the hook point and the shank at its closest point of 7/16 inch.~~

~~(c) Gear restrictions. Except as provided in subsection (d) below, the following fishing gear types or sizes are prohibited for use or possession aboard any vessel with one or more persons aboard taking fish under authority of a sport fishing license except that possession is allowed if the vessel is underway or transiting the CRCA or CCAs with no gear in the water: all types of hook and line gear with more than one hook or lure and more than 6 ounces of weight are attached to each other by a common line.~~

~~(d) Gear type and species exceptions as they apply to the CRCA and CCAs are as follows:~~

~~(1) When fishing for salmon, see Sections 27.80 and 28.65, Title 14, CCR.~~

~~(2) An additional hook (sliding or fixed) and downriggers with up to 5 pounds of weight may be used when trolling for species other than salmon.~~

~~(3) Up to 2 hooks and up to 1 pound of weight may be used when drifting for highly migratory species, California halibut (*Paralichthys californicus*), or yellowtail (*Seriola lalandi*).~~

~~(4) Up to 12 No. 2 or smaller hooks and up to 2 pounds of weight may be used when fishing for sanddabs or coastal pelagic species.~~

(5) There is no limit of the number of squid jigs that may be used on a line.

California Rockfish Conservation Area (CRCA) means the ocean waters that are closed to recreational groundfish fishing at specified times, or closed in specified depths or areas. Restrictions on the use of fishing gear in the CRCA and Cowcod Conservation Areas (CCAs, defined in subsection 27.82(d)) serve to minimize interaction with groundfish and associated species when fishing for non-groundfish species. Restrictions described in this Section do not apply to vessels transiting the CRCA or CCAs with no fishing gear deployed in the water.

(a) Species Restrictions. Unless specifically authorized in subsections 27.82(c) or (d), no species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), nor greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish may be targeted, taken, or possessed in the CRCA or CCAs.

(b) Gear restrictions. When fishing in the CRCA and CCAs, not more than one hook or more than six ounces of weight may be used on a single line, except as provided:

(1) Salmon (as defined in Section 1.73) – fishing for salmon is subject to gear restrictions specified in Sections 27.80 and 28.65.

(2) Coastal pelagic species (as defined in Section 1.39) - Up to 12 No. 2 or smaller hooks and up to 2 pounds of weight may be used when fishing for coastal pelagic species. When fishing for squid, there is no limit of the number of squid jigs that may be used on a single line. A No. 2 hook means a fishing hook with a gap between the hook point and the shank at its closest point of 7/16 inch. A squid jig means a multi-pronged barbless hook with a 2-3 inch long, 1/4 to 3/4 inch thick, sometimes brightly-colored shank commonly used to catch coastal pelagic species.

(3) Highly migratory species (as defined in Section 1.49), California halibut (Paralichthys californicus), and yellowtail (Seriola lalandi) - Up to 2 hooks and up to 1 pound of weight may be used when drifting for these species.

(4) Sanddabs and federal groundfish that are other flatfish (as defined in subsection 1.91(a)(10)) - Up to 12 No. 2 or smaller hooks and up to 2 pounds of weight may be used when fishing for these species. A No. 2 hook means a fishing hook with a gap between the hook point and the shank at its closest point of 7/16 inch.

(5) When trolling, an additional hook (sliding or fixed) and downriggers with up to 5 pounds of weight may be used when trolling for species other than salmon. A downrigger means a device used to deploy one or more fishing lines (via a spool, davit, main line, and terminal weight) each with a terminal hook or lure to a desired depth in the water column and that uses a clip to hold each fishing line in place until a fish takes the terminal hook or lure at which time the fishing line pulls free of the clip.

(6) When fishing in the CRCA from shore under authority of subsection 27.82(c)(3), the gear requirements of this subsection do not apply.

(c) Spearfishing (as defined in Section 1.76). When spearfishing for groundfish and associated species in the CRCA under authority of subsection 27.82(c)(4), gear requirements of that subsection apply. If spearfishing for non-groundfish species, no special gear requirements apply.

NOTE:

Authority: Section 205, Fish and Game Code. Reference: Sections 200, 202 and 215, Fish and Game Code.

Section 28.26, Title 14, CCR, is amended to read:

28.26. California Sheephead.

(a) Open season and areas: See Section 27.82. ~~Sheephead may not be taken or possessed by a person by hook and line fishing or by spear fishing during a northern, central or southern rockfish and lingcod closure unless provided for under Section 27.82(c).~~

(b) Limit: Five.

(c) Minimum size: 12 inches total length.

(d) Fishing rules for California sheephead may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change for this species made under the authority of subsection 27.82(e) or Section 52.10. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205, 215, 220~~, 7071 and 8587.1, Fish and Game Code. Reference: Sections ~~200, 202, 205, 7071 and 8586, 206, 215, 220 and 8585.5~~, Fish and Game Code.

Section 28.27, Title 14, CCR, is amended to read:

28.27. Lingcod.

(a) Open Season and Area areas: ~~Lingcod may not be taken from November 1 through December 31. See Section 27.82. Lingcod may not be taken or possessed by a person by hook and line fishing or by spear fishing during a northern, central or southern rockfish and lingcod closure unless provided for under Section 27.82(c).~~ See Section 27.82.

(b) Limit: ~~One~~Two.

(c) Minimum size: ~~Thirty~~24 inches total length.

(d) Method of take: Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for lingcod may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change for this species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's

website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205, 215, 220, and 8587.1~~ and 240, Fish and Game Code. Reference: Sections ~~200, 202, 205, 206, 215, 220 and 240~~ 205 and 8586, Fish and Game Code. Code and 50 C.F.R. 660.

Section 28.28, Title 14, CCR, is amended to read:

28.28. Cabezon.

(a) Open season and areas: See Section 27.82. ~~Cabezon may not be taken or possessed by a person by hook and line fishing or by spear fishing in a Northern, Central, or Southern Rockfish and Lingcod Management Area during a closure in those areas unless provided for under Section 27.82(e).~~

(b) Limit: ~~Three~~ [One – Three fish] OR [One – Three fish except for divers and shore-based anglers the sub-limit is one – two fish], within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish.

(c) Minimum size: ~~Fifteen~~ 15 inches total length.

(d) Fishing rules for cabezon may be changed during the year or season by the department under the authority of subsection 27.82(e) or Section 52.10. The department will provide a news release notifying the public 10 days in advance of a change for this species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205, 215, 220, 7071 and 8587.1~~, Fish and Game Code. Reference: Sections ~~200, 202, 205, 210, 8585.5~~ 7071 and ~~8586~~ 8587.4, Fish and Game Code. Code and 50 C.F.R. 660.

Section 28.29, Title 14, CCR, is amended to read:

28.29. Kelp Greenling. Rock Greenling.

(a) Open season and areas: See Section 27.82. ~~Kelp or rock greenlings (genus Hexagrammos) may not be taken or possessed by a person by hook and line fishing or by spear fishing in a Northern, Central, or Southern Rockfish and Lingcod Management Area during a closure in those areas unless provided for under Section 27.82(e).~~

(b) Limit: ~~Two~~ For greenlings of the genus Hexagrammos, within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish, [one – two fish] OR [one – two fish except for divers and shore-based anglers the sub-limit is one – two fish].

(c) Minimum size: ~~Twelve~~ 12 inches total length.

(d) Fishing rules for kelp and rock greenlings may be changed during the year or season by the department under the authority of subsection 27.82(e) or Section 52.10. The department will provide a news release notifying the public 10 days in advance of a change for these species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205, 215, 220,~~ 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, ~~202,~~ 205, 210, 7071 ~~8585.5~~ and ~~8586~~8587.4, Fish and Game Code. Code and 50 C.F.R. 660.

Section 28.54, Title 14, CCR, is amended to read:

28.54. California Scorpionfish (Sculpin).

(a) Open season and areas: See Section 27.82. ~~California scorpionfish may not be taken or possessed by a person by hook and line fishing or by spear fishing in a Northern, Central or Southern Rockfish and Lingcod Management area during a closure in those areas unless provided for under Section 27.82(c).~~

(b) Limit: Five.

(c) Minimum size: ~~Ten~~10 inches total length.

(d) Fishing rules for California scorpionfish may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change for this species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205, 215, 220,~~ 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, ~~202,~~ 205, 210, 7071 ~~8585.5~~ and ~~8586~~8587.4, Fish and Game Code. Code and 50 C.F.R. 660.

Section 28.55, Title 14, CCR, is amended to read:

28.55. Rockfish (Sebastes).

(a) Open seasons and areas: See Section 27.82. ~~Rockfish, including bocaccio, cowcod, yelloweye, and canary rockfish, may not be taken or possessed by a person by hook and line fishing or by spear fishing in a Northern, Central or Southern Rockfish and Lingcod Management Area during a closure in those areas unless provided for under Section 27.82(c).~~

(b) Limit: Ten, within the Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish, in any combination of species, except bocaccio -- one fish in the North-Central, Monterey South-Central, Morro Bay South-Central, and Southern Rockfish and Lingcod Management Areas (as defined in Section 27.82(a)) and two fish in the Northern Rockfish and Lingcod Management Area (as defined in Section 27.82(a)), canary rockfish -- zero fish, cowcod -- zero fish, and yelloweye rockfish -- zero fish.

(c) Size limit: None, except no bocaccio may be taken or possessed that is less than 10 inches in total length.

(d) Method of take: Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or a double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for rockfish may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change for these species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, ~~205~~, 215, 220, 7071 and 8587.1, Fish and Game Code. Reference: Sections ~~200, 202, 205, 206~~, 215, 220, 7071 and 8585.5, Fish and Game Code.

Section 28.56, Title 14, CCR, is amended to read:

28.56. Leopard Shark.

(a) Open season and areas: See Section 27.82; subsection 27.82(c)(5) provides for fishing in the following enclosed bays during federal groundfish season and depth closures: Humboldt Bay, Drakes Estero, San Diego Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, San Francisco Bay, Elkhorn Slough, Newport Bay, Alamitos Bay, and Mission Bay.

~~(a)~~(b) Limit: three.

~~(b) Minimum size: 36 inches total length.~~

(c) Minimum size: 36 inches total length.

(d) Fishing rules for leopard shark may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change for this species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 205 and 210, Fish and Game Code.
Reference: Sections 200, 202, 205, 206 and 210, Fish and Game Code.

Section 28.58, Title 14, CCR, is amended to read:

28.58. Ocean Whitefish.

~~(a) Open Season and Area areas: See Section 27.82. Ocean whitefish may not be taken or possessed by a person by hook and line fishing or by spear fishing in a Northern, Central or Southern Rockfish and Lingcod Management Area during a closure in those areas unless provided for under Section 27.82(e).~~

(b) Fishing rules for ocean whitefish may be changed during the year or season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change for this species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 205, 210, 215 and 220, Fish and Game Code.
Reference: Sections 200, 202, 205, 206, 215 and 220, Fish and Game Code.

Section 28.90, Title 14, CCR, is amended to read:

28.90. Diving, Spearfishing.

Persons who are floating or swimming in the water may use spearfishing gear and skin or SCUBA diving equipment to take fin fish other than giant (black) sea bass, garibaldi, gulf grouper, broomtail grouper, trout, salmon, striped bass or broadbill, except that:

(a) No ~~no~~ person may possess or use a spear within 100 yards of the mouth of any stream in any ocean waters north of Ventura County.

(b) When spearfishing for or in possession of federal groundfish or associated species as authorized under authority of Section 27.82(c)(4), in an area or during a season closed to the take of these species, no fishing gear except spearfishing gear may be aboard the vessel or non-motorized watercraft.

NOTE:

Authority cited: Sections 200, 202, 205, ~~210, 219 and 220~~, 7071 and 8587.1, Fish and Game Code. Reference: Sections ~~200-202, 203.1, 205-210 and 215-222~~, 205, 7071 and 8586, Fish and Game Code ~~Code~~ and 50 C.F.R. 660.